

### **REMARKS**

Claims 1-6, 8, and 10-14 are pending in this application.

The examiner rejected claims 1 and 6 under 35 U.S.C. §112, 2<sup>nd</sup> paragraph, as being indefinite. The examiner notes that the independent claims recite “storing event information in a database and then matching the stored information with stored profile information to determine invitees to received specific emails with a plurality of events.” The examiner said it was unclear how the system/user would determine when the matching step would take place.

We are not sure what the source of the examiner’s confusion is. The point of our previous amendment was to make clear that the claimed invention operates by going through the event information in an event information database “to identify for each member among the plurality of members all events among the plurality of events that match the stored member information for that member.” When this is done or how it is triggered is not part of the independent claims, nor do we wish to limit the independent claims with that detail. Rather, a key feature is that going through the event information takes place not upon receipt of each event records, as would be the case with a system built on the principles of Gal’s messaging system, but rather it takes place as part of processing the database of event records that had been previously received.

This makes a big difference in the performance of embodiments which operate according to the claims as compared to Gal’s messaging system. Gal’s system acts like a filter. The user sends a message along with profile information to Gal’s system and his system then immediately forwards that message to the users who match the profile information. The purpose of Gal’s system is to enable users to send messages to the appropriate group of recipients without disclosing to the user the identity or email addresses of those recipients, thereby maintaining the privacy of the recipients and protecting them future unwanted solicitations or contacts.

In Gal’s system, since a message is forwarded at time of its receipt, those users who were not enrolled in the system at the time the message was received will not be recipients of the forwarded message. To make sure that later subscribers to Gal’s system are not left out, assuming

that is an issue about which the user is concerned, the user must send his or her message multiple times to catch the users who joined the system since the last time he or she sent the message.

Embodiments which operate in accordance with the claimed invention do not place such an inconvenient burden on the person who provides the event records. Once the system is notified of such event(s), the system takes care of the rest of the function of notifying the appropriate members. It does this by storing a database of such event records, at some point going through that database along with the database of members to identify those members to whom invitations to certain events should be sent, and then sending invitations to those identified members, wherein the invitations invite the member to all of the events for which matches were detected.

Because the claimed invention operates by processing the database of invitations (whenever that is desired or as often as that is desired), the members who sign up after some of the event records have been received need not worry about failing to be informed about the relevant invitations. That is because notification does not occur through the forwarding of a received event notification but rather occurs after the event information has been stored in the database for a plurality of events. This is why saving the information in a database is an advancement over the prior art which the examiner has identified. With the present invention, as contrasted to Gal's approach, members need not worry missing an invitation of interest because they signed up after that invitation was already received and forwarded by the system.

The Examiner again rejects claims 1-6, 8, and 10-14 under 35 U.S.C. §103(a) as being unpatentable over WO 01/52106 A2 by Gal et al. (a.k.a. Gal). The Examiner admits that "Gal fails to expressly disclose storing event information in a database and then matching the stored event information with stored profile information to determine invitees to receive specific emails with a plurality of events."

In view of the explanations provide above, we again note that Gal does not perform the function of:

...after the plurality of event records storing the event information has been electronically stored in the event information database for all of the events among the plurality of events,

for each event of the plurality of events, ...comparing the stored event information obtained from the event information database for that event and the stored member information obtained from the member information database to identify for each member among the plurality of members all events among the plurality of events that match the stored member information for that member,

as recited in claim 1.

We submit that Gal does not collect a plurality of event records and then, after they are collected, compare stored event information in that plurality of records to stored member information to identify members to whom electronic invitation messages are to be sent. Rather, Gal processes each message as it is received and decides to whom to forward that message. Gal's system is for forwarding individual messages; it is not a system for identifying members to whom invitations to a plurality of future events should be sent.

We also note that Gal does not store event information about a plurality of events. The examiner disagrees and argues that the message about which Gal speaks could include information about a plurality events. As we previously noted, to the extent that Gal stores a received message that might relate to multiple events, that is not the same as storing a plurality of event records wherein each record stores information about a corresponding different event.

The examiner also admits that Gal fails to expressly disclose sending all of the matching events/invitations in one e-mail to the user. But the examiner again argues that:

...Gal does disclose combining event information by user/key number (pg. 5), and Gal also discloses electronically sending invitation information to users (pg.4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invitation was made to have included sending "all of" the matching events/invitations in one e-mail to the use[r] in the system disclosed by Gal, for the advantage of providing a method of invitation delivery with the ability to save system resources for both the user and the sender, by combining information sent.

But we again point out that this argument ignores that Gal actually teaches away from adding this feature or modification to his system. More specifically, Gal teaches away from a modification "wherein each electronic invitation message invites its corresponding recipient to all of

the events for which matches were detected for that corresponding recipient,” as recited in the claims.

The parts of Gal’s database 90 that store event information and user/key numbers are tables 98 and 100. Table 98 lists invitations along with pointers to the message block describing the event and Table 100 lists user/key numbers identifying the users and for each user/key number, the invitations which apply to that user/key. These two tables are provided as support for the dynamic creation of a web page when the user visits the web site.

In arguing that it would be obvious to use the information that is stored in these two tables to generate emails that consolidate multiple invitations for each user, the Examiner is ignoring why those tables are provided in the first place. More specifically, the Examiner is ignoring that these features are part of an alternative embodiment designed to avoid sending email to users. Gal states:

An alternative system using a dynamically created web page uses tables such as Tables 98 and 100. Each invitation message created is associated with a pointer to the message block. ... Thus, when a user goes to the web page for the user’s invitations, a web page is dynamically constructed by searching the database 90 for invitation corresponding to the user’s key number. [emphasis added] (page 5, lines 15-20).

The advantage of the message with the dynamically created web page rather than a traditional E-mail type message is that the messages are not considered as intrusive by the recipient since the recipient only needs to see the invitations when they go to the dynamically created web page. The messages don’t clog up the recipient’s work or hone E-mail system. [emphasis added] (page 6, lines 2-6).

Since Gal’s alternative embodiment is for deployments in which email is to be avoided, why would a person of ordinary skill in the art then use the information that is collected for that alternative embodiment to generate emails? We submit that a person of ordinary skill in the art would not modify Gal’s system in the way the Examiner has proposed. Moreover, since Gal has already provided an embodiment which employs an email notification mechanism (i.e., his first described embodiment) in which invitations are forwarded to users by email as those invitations arrive at the site, there is no motivation to modify the alternative embodiment to perform a function it was designed to avoid performing.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 2000874.00146US1 from which the undersigned is authorized to draw.

Respectfully submitted,

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/Eric L. Prah/

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